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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

WILLIAM WATKINS, Individually and on )  
 Behalf of All Others Similarly Situated,, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SHORETEL, INC., JOHN W. COMBS, )  
 MICHAEL E. HEALY, EDWIN J. BASART, )  
 GARY J. DAICHENDT. THOMAS VAN )  
 OVERBEEK, KENNETH D. DENMAN, )  
 CHARLES D. KISSNER, EDWARD F. )  
 THOMPSON, LEHMAN BROTHERS, INC., )  
 J.P. MORGAN SECURITIES, INC. and )  
 PIPER JAFFRAY & CO., )  
 )  
 Defendant. )

No. 08-cv-00271 CRB

[PROPOSED] ORDER CONSOLIDATING  
 ALL RELATED CASES, APPOINTING  
 LEAD PLAINTIFFS AND APPROVING  
 SELECTION OF LEAD PLAINTIFFS'  
 CHOICE OF LEAD AND LIAISON  
 COUNSEL

DATE: April 25, 2008  
 TIME: 10:00 a.m.  
 DEPT: Courtroom 8, 19<sup>th</sup> Floor

Action filed January 15, 2008

PHYNICE KELLEY, Individually and on Behalf )  
 of All Others Similarly Situated,, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SHORETEL, INC., JOHN W. COMBS, )  
 MICHAEL E. HEALY, EDWIN J. BASART, )  
 GARY J. DAICHENDT. THOMAS VAN )  
 OVERBEEK, KENNETH D. DENMAN, )  
 CHARLES D. KISSNER, EDWARD F. )  
 THOMPSON, LEHMAN BROTHERS, INC., )  
 J.P. MORGAN SECURITIES, INC. and )  
 PIPER JAFFRAY & CO., )  
 )  
 Defendant. )

No. 08-cv-00683 CRB

Action filed January 29, 2008

1 Having considered the motion of Loren Swanson and Art Landesman to consolidate all  
2 related actions, to be appointed Lead Plaintiffs, and to approve proposed Lead Plaintiffs' choice of  
3 counsel and the Memorandum of Law and Declaration of Reed R. Kathrein, in support thereof, and  
4 good cause appearing therefore:

5 IT IS HEREBY ORDERED THAT:

6 1. The motion is granted.

7 2. This case and Case No. 08-cv-00683 CRB are related cases, sharing common  
8 questions of law and fact as contemplated by Fed. R. Civ. P. 42(a).

9 3. Due to the related nature of the referenced matters, it would promote judicial  
10 economy, save the Court and the parties unnecessary costs and delay, and promote consistent  
11 results to consolidate the four cases.

12 4. Accordingly, the Court GRANTS Plaintiff's motion to consolidate this case with  
13 Case No. 08-cv-00683 CRB. Case No. 08-cv-00683 CRB shall be consolidated into Case No. 08-  
14 cv-00271 CRB, the first case filed, and closed. All subsequent papers, pleadings, and motions shall  
15 be filed under the case number 08-cv-00271 CRB, and the consolidated action shall be re-  
16 captioned as *In re ShoreTel, Inc. Securities Litigation*. Furthermore, all consolidated matters are  
17 transferred to Judge Charles R. Breyer, who is the presiding judge in the first-filed action.

18 5. Class Members, Loren Swanson and Art Landesman are appointed to serve as Lead  
19 Plaintiffs in the above-captioned consolidated action pursuant to 15 U.S.C. § 77z-1(a)(3) (2007).

20 6. The law firms Kahn Gauthier Swick, LLP is appointed Lead Counsel, and Hagens  
21 Berman Sobol Shapiro LLP is appointed Liaison Counsel for Plaintiffs in the consolidated action.  
22 Lead Counsel shall be responsible for coordination of all activities and appearances on behalf of  
23 Plaintiffs and for the dissemination of notices and orders of this Court.

24 7. Defendants' counsel may rely upon all agreements made with Lead Counsel, or  
25 other duly authorized representatives of Plaintiffs, and such agreements shall be binding on  
26 Plaintiffs.

1           8.       This Order shall apply to this action, all actions consolidated herein and to each case  
2 that relates to the same subject matter that is subsequently filed in this Court or is transferred to this  
3 Court and is consolidated with this consolidated action.

4           9.       An original of this Order shall be filed by the Clerk in the Master File.

5           10.      The Clerk shall mail a copy of this Order to counsel of record in this consolidated  
6 action.

7           11.      The Court requests the assistance of counsel in calling to the attention of the Clerk  
8 of this Court the filing or transfer of any case that might properly be consolidated as part of this  
9 consolidated action.

10          12.      When a case that arises out of the same subject matter of this consolidated action is  
11 hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

- 12                   a.   File a copy of this Order in the separate file for such action;  
13                   b.   Mail a copy of this Order to the attorneys for the Plaintiff(s) in the newly-filed  
14                      or transferred case and to any new Defendant(s) in the newly-filed case; and  
15                   c.   Make the appropriate entry in the Master Docket for this consolidated action.

16          13.      Each new case that arises out of the subject matter of this consolidated action which  
17 is filed in this Court or transferred to this Court, shall be consolidated with this consolidated action  
18 and this Order shall apply thereto, unless a party objects to consolidation, as provided for herein, or  
19 any provision of this Order, within ten (10) days after the date upon which a copy of this Order is  
20 served on counsel for such party, by filing an application for relief and this Court deems it  
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appropriate to grant such application. Nothing in the foregoing shall be construed as a waiver of the Defendants' right to object to consolidation of any subsequently filed case.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

THE HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

Submitted: March 17, 2008

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Reed R. Kathrein

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 17th day of March 2008, at Berkeley, California.

/s/ Reed R. Kathrein  
REED R. KATHREIN

## Mailing Information for a Case 3:08-cv-00271-CRB

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Steve W. Berman**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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